

# EXHIBIT G

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 MARCUS WHITFIELD,

17 Defendant.

No. CR 07-0366 VRW

18 **DECLARATION OF POLICE**  
**OFFICER JESSIE ORTIZ IN**  
**SUPPORT OF THE UNITED STATES'**  
**OPPOSITION TO DEFENDANT'S**  
**MOTION TO SUPPRESS PHYSICAL**  
**EVIDENCE**

19 Hearing: August 28, 2007  
Time: 10:30 a.m.  
Court: Hon. Vaughn R. Walker

20  
21 I, Officer Jessie A. Ortiz, do hereby declare:

- 22 1. I have been employed by the City and County of San Francisco as a San Francisco Police  
23 Officer for 8 months.  
24  
25 2. On April 28, 2007, Officer Anderson and I were flagged down at the intersection of  
26 Sunnydale Avenue and Hahn Street in our marked police car by a woman named Cavia  
27 Daniels.  
28

1 3. Ms. Daniels stated she went to her boyfriend's house at 1855 Sunnydale Avenue and got  
2 into a verbal argument with him. Ms. Daniel's stated her boyfriend's name is Marcus  
3 Whitfield.

4 4. Ms. Daniels told me and Officer Anderson that Whitfield became angry and picked her  
5 up and pushed her. According to Ms. Daniels, Whitfield grabbed her sweatshirt and  
6 dragged her out of the house. Ms. Daniels stated once she was outside of the residence,  
7 Whitfield grabbed her head with both of his hands and threw her to the ground. Ms.  
8 Daniels stated her cell phone fell out of her pocket as she tried to call 911. While she was  
9 on the ground, Ms. Daniels stated she bit Whitfield on his finger. Ms. Daniels stated  
10 Whitfield tried to bit her ear but was unsuccessful and then he went back inside of the  
11 house.  
12

13 5. Ms. Daniels stated that Marcus Whitfield's mother saw the whole incident and did  
14 nothing to stop the physical attack. Ms. Daniels stated she was afraid of Marcus  
15 Whitfield.  
16

17 6. Ms. Daniels informed me and Officer Anderson that she and Whitfield had been dating  
18 since February of 2006 and she is pregnant with his child. Ms. Daniels was visibly  
19 pregnant.  
20

21 7. Ms. Daniels also stated that Whitfield had physically abused her in the past and in  
22 January of 2007 he broke her arm.  
23

24 8. Ms. Daniels stated that Whitfield is armed and has a "full automatic Tech 9" underneath  
25 his mattress at his house located at 1855 Sunnydale Avenue.  
26

27 9. Ms. Daniels stated the Tech 9 is black with a clip on the side and she indicated with her  
28 hands the length of the gun.

- 1 10. Ms. Daniels stated she bought a Cadillac Car but the pink slip wasn't signed. She stated  
2 Marcus Whitfield traded her Cadillac car with a gang member in exchange for the Tech 9.  
3  
4 11. Ms. Daniels stated that sometimes Marcus Whitfield stays at 1855 Sunnydale Avenue and  
5 sometimes he stays with her at 967 Drake Avenue.  
6  
7 12. Ms. Daniels stated that Marcus Whitfield is on parole and should be living at Drake and  
8 he shouldn't be out of Marin County, but he's been staying at 1855 Sunnydale with his  
9 mom.  
10 13. I asked if Ms. Daniels if she wanted me to send for an ambulance. Ms. Daniels replied  
11 no. I then asked Ms. Daniels if she would like us to take her to San Francisco General  
12 Hospital. Ms. Daniels said no because she would go on her own.  
13  
14 14. On April 28, 2007, I conducted two computer checks on Marcus Whitfield from my  
15 police vehicle and learned Whitfield is on felony probation and as a condition of his  
16 probation he has a warrantless search condition. One of the two computer checks revealed  
17 that Whitfield's probation address is listed as 1855 Sunnydale Avenue, San Francisco.  
18 The second computer check, which queries a different database, revealed that Whitfield is  
19 also on Parole and his parole address is 967 Drake Avenue, Sausalito, CA. The most  
20 recent conviction is the felony conviction for which Whitfield was sentenced to  
21 Probation.  
22  
23 15. Based on Ms. Daniels's statements that Whitfield lived at 1855 Sunnydale in San  
24 Francisco, Officer Anderson and I went to 1855 Sunnydale to talk to Whitfield about the  
25 domestic battery incident involving Ms. Daniels.  
26  
27 16. After knocking on the front door to 1855 Sunnydale, Marcus Whitfield's mother, Jenice  
28 Colvin, answered the door. Officer Anderson and I informed Ms. Colvin we needed to

1 talk to Marcus regarding a report of a domestic battery. Ms. Colvin replied, "Marcus  
2 doesn't live here."

3 17. Ms. Daniels went to San Francisco General Hospital on April 28, 2007 and was treated by  
4 a doctor.

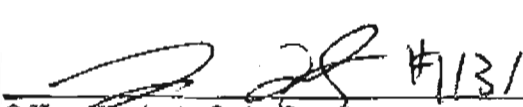
5 18. I called Judge Tang and requested an Emergency Order of Protection on behalf of Cavia  
6 Daniels.

7 19. The emergency order protection ordered that Marcus Whitfield was to stay away and  
8 move out immediately from Ms. Daniels residence at 967 Drake Avenue, Marin City,  
9 94965 and 1133 Brussels, which is Ms. Daniels's mother's home residence.

10 20. Officer Anderson and I gave a copy of the emergency order of protection to Ms. Daniels's  
11 at her mother's residence at 1133 Brussels.

12 21. I was not present at 1855 Sunnydale Avenue on April 29, 2007.  
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18 I declare under penalty of perjury that the foregoing is true and correct.  
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20  #1131  
21 Officer Jessie A. Ortiz, Star #1131  
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